

Last revised: August 1, 2017

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In Re:
Margarita Pagan

Case No.: 16-13401
Judge: ABA

Debtor(s)

Chapter 13 Plan and Motions

☐ Original ☒ Modified/Notice Required Date: February 12, 2018
☒ Motions Included ☐ Modified/No Notice Required

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.

☒ DOES ☐ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

Initial Debtor(s)' Attorney: /s/ SW

Initial Debtor: /s/ MP

Initial Co-Debtor: _____

Part 1: Payment and Length of Plan

a. The debtor shall pay \$ 555.00 per month to the Chapter 13 Trustee, starting on March 1, 2018 for approximately 36 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

☒ Future earnings

☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property

Description:

Proposed date for completion: _____

☐ Refinance of real property:

Description:

Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property:

Description:

Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection ☒ NONE

a. Adequate protection payments will be made in the amount of \$ 142.00 to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to Mariner Finance (creditor).

b. Adequate protection payments will be made in the amount of \$ _____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
CHAPTER 13 STANDING TRUSTEE	ADMINISTRATIVE	AS ALLOWED BY STATUTE
ATTORNEY FEE BALANCE	ADMINISTRATIVE	BALANCE DUE: \$ 2,960.00+300.00 fee app
DOMESTIC SUPPORT OBLIGATION	n/a	n/a
IRS	taxes	notice only
State of New Jersey	taxes	notice only
Specialized Loan Service	Admin	\$531.00

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:
Check one:

☒ None

☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
	Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.		

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
Specialized Loan Services	108 S Franklin St. Landisville, NJ 08326	\$8,061.77 (\$4,203.89 + 3,857.88) per order resolving motion for relief	None	\$8,061.77 (\$4,203.89 + 3,857.88) per order resolving motion for relief	\$756.11

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)

c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to be Paid
Mariner Finance	2011 Ford Fusion	\$12,554.69	\$8,150.00	none	\$12,554.69	5%	\$14,215.35

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☒ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt

f. Secured Claims Unaffected by the Plan ☒ NONE

The following secured claims are unaffected by the Plan:

g. Secured Claims to be Paid in Full Through the Plan: ☒ **NONE**

Creditor	Collateral	Total Amount to be Paid Through the Plan

Part 5: Unsecured Claims ☒ **NONE**

a. Not separately classified allowed non-priority unsecured claims shall be paid:

- ☒ Not less than \$ 0.00 to be distributed *pro rata*
☐ Not less than _____ percent
☐ *Pro Rata* distribution from any remaining funds

b. Separately classified unsecured claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid

Part 6: Executory Contracts and Unexpired Leases ☒ **NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment

Part 7: Motions ☐ **NONE**

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens Under 11. U.S.C. Section 522(f). ☐ **NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☒ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☐ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Mariner Finance	2011 Ford Fusion	\$12,554.69	\$8,150.00	\$14,215.35	\$1,660.66

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon confirmation
☐ Upon discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee commissions
- 2) Priority Claims
- 3) Secured Claims
- 4) Unsecured Claims

d. Post-Petition Claims

The Standing Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ NONE

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: February 12, 2018.

Explain below **why** the plan is being modified:

To list the arrears owed to Specialized Loan Service to be rolled into the plan per the order resolving the motion for relief.

To list the administrative fees owed to Specialized Loan Service per the order resolving the motion for relief.

Explain below **how** the plan is being modified:

To list the arrears owed to Specialized Loan Service to be rolled into the plan per the order resolving the motion for relief.

To list the administrative fees owed to Specialized Loan Service per the order resolving the motion for relief.

Are Schedules I and J being filed simultaneously with this Modified Plan? ☒ Yes ☐ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date: February 12, 2018

/s/ Seymour Wasserstrum
Attorney for the Debtor

Date: February 12, 2018

/s/ Margarita Pagan
Debtor

Date: _____

Joint Debtor

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

Date: February 12, 2018

/s/ Seymour Wasserstrum
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: February 12, 2018

/s/ Margarita Pagan
Debtor

Date: _____

Joint Debtor

Certificate of Notice Page 11 of 12
 United States Bankruptcy Court
 District of New Jersey

In re:
 Margarita Pagan
 Debtor

Case No. 16-13401-ABA
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 27

Date Rcvd: Feb 13, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 15, 2018.

db +Margarita Pagan, 108 South Franklin St., Landisville, NJ 08326-1340
 cr +Mariner Finance, LLC, 3600 East Landis Ave., Unit 19, Vineland, NJ 08361-3090
 516019109 +A 1 Collection Service, 80 West Upper Ferry Rd, Ste 1, c/o gastroenterology group of sj,
 West Trenton, NJ 08628-2736
 516019110 Apex Asset Management, 1286 Carmichael Way, c/o advanced anethesia,
 Montgomery, AL 36106-3645
 516019111 Apex Asset Management, 1286 Carmichael Way, c/o frankel orthosports med,
 Montgomery, AL 36106-3645
 516019112 Apex Asset Mangement, 1286 Carmichael Way, c/o center for diagnostic imaging,
 Montgomery, AL 36106-3645
 516019113 +Arthritis And Rheumatology Associates, 2848 South Delsea Dr, Ste 2C,
 Vineland, NJ 08360-7042
 516229661 BERLIN EMERGENCY DEPARTMENT, Revenue Recovery Corporation, PO Box 50250,
 Knoxville, TN 37950-0250
 516019115 Borough Of Buena, P.O. Box 696, Municiple Utilities Authority, Minotola, NJ 08341-0696
 516019118 +EOS CCA, 700 Longwater Drive, Norwell, MA 02061-1624
 516019117 +Enhanced Recovery Corp, PO Box 57547, c/o sprint, Jacksonville, FL 32241-7547
 516019119 +First Premier, 3820 N. Lousie Ave, Sioux Falls, SD 57107-0145
 516019121 Iqbal & Khan Surgical Assoc PA, 10 Magnolia Ave, Bridgeton, NJ 08302-1760
 516019122 +++MARINER FINANCE-VINELAND, 3600 E LANDIS AVE STE 19, VINELAND NJ 08361-3090
 (address filed with court: Mariner Finance-Vineland, 3650 E Landis Ave, Vineland, NJ 08361)
 516068028 +Mariner Finance, LLC, 8211 Town Center Drive, Nottingham, MD 21236-5904
 516285895 +Michael R. Mazzoni PA, 1170 East Landis Avenue, Vineland NJ 08360-4216
 516019123 Revenue Recovery Corp, 7005 Middlebrook Pike, c/o berlin emergency dept.,
 Knoxville, TN 37909-1156
 516019125 +SLS Mortgage, 8742 Lucent Blvd. Suite 300, Littleton, CO 80129-2386
 516019124 Sears/CBNA, PO Box 6282, Sioux Falls, SD 57117-6282
 516019126 +Superior Court Of New Jersey Clerk, 25 Market Street, Trenton, NJ 08611-2148
 516243866 +The Bank of New York Mellon Trustee (See 410), c/o Specialized Loan Servicing LLC,
 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Feb 13 2018 22:29:06 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Feb 13 2018 22:29:05 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235
 516019114 +E-mail/Text: bankruptcy@pepcoholdings.com Feb 13 2018 22:29:01 Atlantic City Electric,
 5 Collins Drive Suite 2133, Pepco Holdings Inc, Bankruptcy Division,
 Penns Grove, NJ 08069-3600
 516019116 +E-mail/Text: bankruptcy@credencerm.com Feb 13 2018 22:29:19 Credence Resource Management,
 17000 Dallas Pkwy Ste 204, c/o AT&T, Dallas, TX 75248-1940
 516019120 E-mail/Text: jkatsios@gsicollections.com Feb 13 2018 22:29:01 GSI Recovery LLC,
 PO Box 1026, c/o regional diagnostic imaging, Bloomfield, NJ 07003-1026
 516257580 +E-mail/Text: JCAP_BNC_Notices@jcap.com Feb 13 2018 22:29:12 Premier Bankcard, Llc,
 c o Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-7999

TOTAL: 6

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516284510 Arthritis & Rheumatology Associates
 517298009* +The Bank of New York Mellon Trustee (See 410), c/o Specialized Loan Servicing LLC,
 8742 Lucent Blvd, Suite 300, Highlands Ranch, Colorado 80129-2386

TOTALS: 1, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++++' were corrected as required by the USPS Locatable Address Conversion System (LACS).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 15, 2018

Signature: /s/Joseph Speetjens

District/off: 0312-1

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 27

Date Rcvd: Feb 13, 2018

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 12, 2018 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor The Bank of New York Mellon FKA The Bank of New York,
as Trustee for the certificateholders of CWABS, Inc., ASSET-BACKED CERTIFICATES, Series 2006-26
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com,
summarymail@standingtrustee.com
Isabel C. Balboa ecfmail@standingtrustee.com, summarymail@standingtrustee.com
John R. Morton, Jr. on behalf of Creditor Mariner Finance, LLC ecfmail@mortoncraig.com,
mortoncraigecf@gmail.com
Seymour Wasserstrum on behalf of Debtor Margarita Pagan mylawyer7@aol.com, ecf@seymourlaw.net
TOTAL: 5